

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

LODGENET INTERACTIVE
CORPORATION, a Delaware corporation,

Plaintiff,
v.

NOMADIX, INC., a Delaware corporation,

Defendant.

CIV 10-4036-RAL

**JOINT MOTION TO AMEND FIRST
AMENDED RULE 16
SCHEDULING ORDER**

Plaintiff LodgeNet Interactive Corporation ("LodgeNet") and Defendant Nomadix, Inc. ("Nomadix") agree to the following modifications of the Court's First Amended Rule 16 Scheduling Order (Docket No. 41) and respectfully request that the Court enter an amended scheduling order approving those modifications:

1. The deadline under Paragraph 5 of the Court's First Amended Rule 16 Scheduling Order for Nomadix to serve its prior art statement on LodgeNet is changed from November 15, 2010 to **December 15, 2010**.
2. The deadline under Paragraph 4 of the Court's First Amended Rule 16 Scheduling Order for the parties to exchange lists of claim terms proposed to be construed by the Court is changed from November 22, 2010 to **December 22, 2010**.
3. The deadline under Paragraph 4 of the Court's First Amended Rule 16 Scheduling Order for the parties to confer regarding a joint claim construction statement is changed from December 3, 2010 to **January 3, 2011**.

4. The deadline under Paragraph 6 of the Court's First Amended Rule 16 Scheduling Order for the parties (1) to notify the Court as to whether they believe a claim construction hearing is necessary and (2) to file a joint claim construction statement is changed from December 16, 2010 to **January 17, 2011**.

5. The deadline under Paragraph 7 of the Court's First Amended Rule 16 Scheduling Order for non-expert discovery is changed from June 1, 2011 to **July 1, 2011**.

6. The deadline under Paragraph 10 of the Court's First Amended Rule 16 Scheduling Order for the identity of and reports from initial experts (those to deal with issues on which that party has the burden of proof) is changed from August 16, 2011 to **September 16, 2011**.

7. The deadline under Paragraph 10 of the Court's First Amended Rule 16 Scheduling Order for the identity of and reports from rebuttal experts is changed from September 16, 2011 to **October 17, 2011**.

8. The deadline under Paragraph 12 of the Court's First Amended Rule 16 Scheduling Order for all motions, other than motions in limine, is changed from December 1, 2011 to **January 9, 2012**.

9. In all other respects the First Amended Rule 16 Scheduling Order shall apply and remain in effect.

Dated: November 3, 2010

s/ Michael G. Taylor

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Dated: November 3, 2010



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